

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALLAN PARMELEE,)	CASE NO. C05-2028-JLR-MAT
)	
Petitioner,)	
)	
v.)	ORDER STRIKING PETITIONER'S
)	MOTION FOR RECONSIDERATION
SANDRA CARTER,)	
)	
Respondent.)	
_____)	

On March 13, 2006, petitioner filed a motion for an extension of time to file a response to respondent's answer to petitioner's habeas petition. (Doc. #19). Citing numerous problems with obtaining legal materials at his prison, petitioner requested an extension of 216 months, or 18 years, to file his response. The court denied the motion and ordered petitioner to show cause why he should not be barred from filing any response as a sanction for wasting the court's time with an absurd motion. (Doc. #21). On March 24, 2006, petitioner appealed the court's Order to United States District Judge James L. Robart. (Doc. #21). That appeal is now pending.

On March 27, 2006, petitioner filed a motion for reconsideration with this court, seeking reconsideration of the Order to Show Cause. (Doc. #22). On March 29, 2006, petitioner filed

01 a “partial” response to respondent’s answer. (Doc. #23). Having considered the motion for
02 reconsideration and the balance of the record, the court does hereby find and ORDER as follows:

03 (1) Petitioner’s motion for reconsideration seeks the same relief as his appeal of the
04 Order to Show Cause. Because that appeal is now pending before Judge Robart, the Clerk shall
05 STRIKE petitioner’s motion for reconsideration (Doc. #22) as duplicative. Although petitioner’s
06 habeas petition was noted for consideration on March 24, 2006, the court will not address the
07 petition until Judge Robart has ruled on the appeal.

08 (2) The Clerk shall direct a copy of this Order to petitioner, to counsel for respondent,
09 and to the Honorable James L. Robart.

10 DATED this 30th day of March, 2006.

11 
12 Mary Alice Theiler
13 United States Magistrate Judge
14
15
16
17
18
19
20
21
22